

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 14-00221-01-CR-W-GAF
)	
DAVID E. CLARK,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on November 18, 2015. Defendant Clark appeared in person and with Carie Allen. The United States of America appeared by Assistant United States Attorney Mike Green.

I. BACKGROUND

On August 26, 2014, an indictment was returned charging Defendant with bank robbery, in violation of 18 U.S.C. § 2113(a).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Green announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Special Agent Tricia Dewet, FBI.

Ms. Allen announced that she will be the trial counsel for Defendant Clark.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Green announced that the government intends to call 10-15 witnesses without stipulations or 1-2 witnesses with stipulations during the trial.

Ms. Allen announced that Defendant Clark does not intend to call any witnesses during the trial. Defendant will not testify.

V. TRIAL EXHIBITS

Mr. Green announced that the government will offer approximately 25 exhibits in evidence during the trial, but 5 with stipulations.

Ms. Allen announced that Defendant Clark will offer 1 exhibit in evidence during the trial.

VI. DEFENSES

Ms. Allen announced that Defendant Clark will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Ms. Allen stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to the FDIC and factual matters outside the intimidation allegation in the charge.

IX. TRIAL TIME

Counsel were in agreement that this case will take 2-3 hours to try.

X. EXHIBIT LIST

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed March 24, 2015, counsel for each party file and serve a list of exhibits he/she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by November 18, 2015.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and Defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on November 30, 2015.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
November 18, 2015
cc: Mr. Kevin Lyon